

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip G. Ashton-Rickardt
Joseph T. Opferman

Serial No.: 09/993,363

Filed: November 14, 2001

For: INDUCTION OF IMMUNITY USING
INHIBITORS OF GRANZYMES

Patent No.: 7,326,692

Issued: February 5, 2008

Atty. Dkt. No.: ARCD:382US

Confirmation No. 5741

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

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March 25, 2008
Date

MOA 2/2
Monica A. De La Paz

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants request a reconsideration of patent term adjustment under 37 C.F.R. § 1.705(d).

Applicants filed an Application for Patent Term Adjustment on August 16, 2007. The U.S. Patent Office mailed a Letter Regarding Patent Term Adjustment and Notice of Intent to Issue Certificate of Correction on January 7, 2008, granting Applicant's request for reconsideration of the Patent Term Adjustment. The Letter stated the revised Patent Term Adjustment at the time of the Notice of Allowance is 841 days.

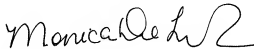
The Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) included with the Issue Notification dated January 16, 2008 indicates a patent term adjustment of 926 days.

Applicants note that the PAIR entries now indicate an Applicant delay of 120 days, presumably for submission of a paper after the mailing of a Notice of Allowance pursuant to 37 C.F.R. § 1.704(c)(10). However, according to 37 C.F.R. § 1.704(e), an Application for Patent Term Adjustment will not be considered a failure to engage in reasonable efforts to conclude prosecution of the application under 37 C.F.R. § 1.704(c)(10). Therefore, Applicants request the delay of 120 days be removed resulting in 132 total days of Applicant delay.

The U.S. Patent Office issued the patent on February 5, 2008, which is a delay on the part of the U.S. Patent Office of 1,178 days (period of time between three years after filing, November 14, 2004 and February 5, 2008), which is correctly noted in PAIR's calculations. This period should be reduced by 132 days for Applicant delay. Applicants respectfully request an adjustment of the patent term from 926 days to 1,046 days, an increase of 120 days.

The required fee in the amount of \$200.00 in connection with the filing of this paper is being charged to a credit card through EFS-Web concurrently with this submission. The Commissioner is hereby authorized to deduct any underpayment of fees or any additional fees required under 37 C.F.R. §§ 1.16 to 1.21 in connection with the filing of this paper from Fulbright & Jaworski Deposit Account No.: 50-1212/ARCD:382US.

Respectfully submitted,



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Date: March 25, 2008